

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Robert E. Ennis  
Kathleen L. Ennis

Debtors

COUNTRYWIDE HOME LOANS, INC., its successors  
and/or assigns

Movant

v.

Robert E. Ennis  
Kathleen L. Ennis

Respondent

and

Ronda J. Winnecour

Trustee

BK. NO. 05-11985 WWB

CHAPTER 13

MOTION NO.  
FILED UNDER LOCAL BANKRUPTCY  
RULE 9013.4 SECTION 6

**MOTION OF COUNTRYWIDE HOME LOANS, INC., ITS SUCCESSORS AND/OR ASSIGNS  
FOR RELIEF FROM THE AUTOMATIC STAY  
UNDER SECTION 362 PURSUANT TO BANKRUPTCY PROCEDURE RULE 4001**

Movant, by its Attorney, Goldbeck McCafferty & McKeever, hereby requests a termination of the Automatic Stay and leave to foreclose on its mortgage on real property owned by Debtors.

1. Movant is COUNTRYWIDE HOME LOANS, INC., its successors and/or assigns.
2. Debtors, Robert E. Ennis and Kathleen L. Ennis, are the owners of the premises located at 453 East 34th Street, Erie, PA 16504, hereinafter known as the mortgaged premises.
3. Movant is the holder of a mortgage, original principal amount \$75,900.00, on the mortgaged premises that was executed on November 16, 1992.
4. Movant has instituted or wishes to institute foreclosure proceedings on the mortgage because of Debtor's failure to make the monthly payment required thereunder.
5. The payoff amount due on the mortgage is \$79,681.02.
6. Debtors are currently delinquent in payments to the Chapter 13 Trustee in the amount of \$2,077.05.
7. The total amount of post-petition arrearage is \$5,753.51.
8. The total amount of pre-petition arrearage is \$15,062.61.
9. The fair market value of the premises is \$75,590.00.
10. The Senior Lien Holders on the premises are none.

11. The Junior Lien Holders on the premises are none.
12. The foreclosure proceeding filed or to be instituted were stayed by the filing of the current Chapter 13 Petition.
13. Debtors have claimed an exemption of \$9,250.00 in the property per Schedule C.
14. The Debtors have no or inconsequential equity in the premises.
15. Movant has cause to have the Automatic Stay terminated as to permit Movant to complete foreclosure on its mortgage.

WHEREFORE, Movant respectfully requests that this Court enter an Order modifying the Automatic Stay under Section 362 with respect to the mortgaged premises as to permit Petitioner to foreclose on its mortgage and allow Movant or any other purchaser at Sheriff's Sale to take legal action for enforcement of its right to possession of said premises.

Date: May 5, 2006

**/s/ Leslie E. Puida, Esquire**

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